

REMARKS

Claims 1-29 have been canceled.

Claim 30 is an independent claim that has been amended such that the language “comprises at least one vitamin from the group including niacin, vitamin C, vitamin E, and vitamin B6” has limited to at least one vitamin from the group “consisting of niacin, vitamin C, vitamin E, and vitamin B6.” Claims 31-32 are dependent on Claim 30 and are also in condition for allowance.

The Examiner has rejected the claims under 35 U.S.C. 103(a) as being unpatentable over Hennekens (5,871,766). Applicant respectfully disagrees with this rejection and requests reconsideration and withdrawal. The Hennekens reference describes the use of beta-carotene, the use of beta-carotene with vitamin E, or the use of beta-carotene with aspirin. Beta-carotene is a form of vitamin A, not vitamin E. Nowhere does Hennekens describe the use of vitamin E with aspirin, as asserted by the Examiner.

For example, the Examiner states that col. 3, lines 66-67 of Hennekens teaches the combination of vitamin E and aspirin. Col. 3, lines 66-67 state “[i]n yet a further embodiment, beta-carotene is administered in combination with aspirin.” This citation is referring to a combination of vitamin A (beta-carotene) and aspirin, and does not mention vitamin E. The Examiner also cites col. 6, lines 61-66, stating that Henneken teaches the amount of aspirin to be used with vitamin E. Again, this citation describes an experimental example wherein aspirin was combined with vitamin A (beta-carotene), and does not describe a combination of vitamin E with aspirin.

The Henneken reference does not teach the claimed combination, as it does not teach the combination of vitamin E and aspirin. Accordingly, the Henneken reference does not support a rejection under 103(a).

Based on the foregoing, the Applicant respectfully submits that its claims are in condition for allowance at this time. Accordingly, reconsideration of the application and passage to allowance are respectfully solicited.

The Examiner is respectfully urged to call the undersigned attorney at (515) 288-2500 to discuss the claims in an effort to reach a mutual agreement with respect to claim limitations in the present application which will be effective to define the patentable subject matter if the present claims are not deemed adequate for this purpose.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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By 2/7/05
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